

United States District Court
Southern District

Southern Western

Edward Smith

v

Anthony J. Brignano

Respondent

Civil Case No. 1:01 CV 814 SJD
District Judge Susan J. Dlott
Motion for Reconsideration
5th Amendment to Ohio State
Constitution by Trial Court
and 1st Appellate District 4th
Amendment to Ohio State
Constitution by Trial Court
and 1st Appellate District;
in Violation Petitioner 1st 4th
5th 6th 8th 14th Amendment to
Ohio State Constitution

2004 SEP 24 PM 2:30
U.S. DISTRICT COURT
SOUTHERN DIST. OF OHIO
WEST DIV CINCINNATI
JAMES CLEARY
CLERK

Motion and Memorandum in Support

Now comes Edward Smith, petitioner, pro se, and hereby moves this Honorable Court to reconsider its decision denying the Petitioner's Petition for Writ of Habeas Corpus on his 5th Amendment to Ohio State Constitution by Trial Court and 1st Appellate District Court Judge, (Common Plea Court Judge M. Marshall). 4th Amendment to Ohio State Constitution by Trial Court and 1st Appellate District Court Judge, (Common Plea Court Judge A. M. Tracey). Both, Violation Petitioner 1st 4th 5th 6th 8th 14th Amendment to Ohio State Constitution.

The Petitioner's asserts that he was not given the right to litigate his standing to challenge this 5th Amendment Violation to the Ohio State Constitution (SEE: Doc. 26, given to prison official for mailing Sept. 14, 2004 postage prepaid).

Continued:

THE Petitioner asserts that he was not given the right to litigate his standing to challenge this 4th Amendment Violation to the Ohio State Constitution (see: Doc 25 filed by this Court Sept. 15th 2004), in violation of 4th, 5th, 6th, & 14th Amendment to Ohio State Constitution.

Respectfully submitted

Edward Smith, petitioner

Edward Smith, petitioner

346-408 Warren Corr. Inst.

P.O. Box 120 Lebanon, OH 45036

Proof of Service

I, Edward Smith, do hereby certify that a copy of this motion was given to prison officials for mailing, postage 1st class prepaid to: OH. Atty. General office. Thelma T. Price. 150 East Gay St. 16th Floor, Columbus, OH 43215, on this 25th day of September 2004

Edward Smith, petitioner

Edward Smith, petitioner

346-408 Warren Corr. Inst.

P.O. Box 120 Lebanon, OH 45036